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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC ALLAN CHADBURN,

Defendant.

No. 24-CR-00489-EJD

SENTENCING MEMORANDUM

On April 28, 2025, Eric Chadburn pled guilty to both counts of the Indictment pursuant to a plea agreement and has continued to accept full responsibility for his wrongdoing. The basis of the charges against Mr. Chadburn were identified after a search of his home pursuant to a federal warrant on March 22, 2023. After this search, Mr. Chadburn sought counseling, continued working at his job, and fully complied with his arrest in November 2024. After his arrest, Mr. Chadburn promptly accepted responsibility and entered a plea agreement with the government wherein they agreed to recommend the mandatory minimum sentence of 180 months. Mr. Chadburn's case does not involve any physical contact with minors. A sentence of 180 months, 15 years, is by far the longest sentence Mr. Chadburn has ever received and will undoubtedly serve the goals of deterrence, public protection, rehabilitation, and punishment. The

SENTENCING MEMO

1 Court should therefore impose the sentence recommended by the parties and U.S. Probation of  
2 180 months. Mr. Chadburn agrees with Probation's recommendation of 15 years of supervised  
3 release.

4 As for restitution, Mr. Chadburn agrees with the requirements of the statute that the  
5 Court order restitution to any identified victim in an amount "no less than \$3,000." Presentence  
6 Investigation Report (PSR) ¶ 103; 18 U.S.C. § 2259(b)(2). To receive more than \$3,000, there  
7 must be a showing to allow the Court to (A) "determine the full amount of the victim's losses"  
8 and, subsequently, (B) "the court shall order restitution in an amount that reflects the  
9 defendant's relative role in the causal process that underlies the victim's losses." 18 U.S.C.  
10 § 2259(b)(2). At this time, there does not appear to be a showing of any victims' full loss  
11 amount; nor the amount they have already received towards such total loss amount from other  
12 defendants; nor Mr. Chadburn's relative role in causing the total loss amount. Restitution of  
13 \$3,000 per identified victim is therefore appropriate pursuant to the statute. The PSR has  
14 identified seven victims, Mr. Chadburn therefore requests the Court order restitution of \$3,000  
15 per identified victim for a total restitution of \$21,000 at this time. However, if the government  
16 properly identifies any additional victims or a basis for a higher restitution amount for any  
17 particular victim, Mr. Chadburn is amenable to amending this restitution amount. The parties are  
18 hopeful they will be able to stipulate to a restitution amount and will notify the Court  
19 accordingly. Mr. Chadburn is prepared to make restitution payments as quickly as possible and  
20 has been actively attempting to access stock investments that he acquired while working for his  
21 former employer for purposes of paying restitution.

22 For the aforementioned reasons, Mr. Chadburn respectfully requests the Court sentence  
23 him to 180 months of custody and 15 years of supervised release.

24 Dated: September 29, 2025

JODI LINKER  
Federal Public Defender

25 \_\_\_\_\_/s/\_\_\_\_\_  
Sophia Whiting  
26 Assistant Federal Public Defender  
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